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U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

AMENDMENT TRANSMITTAL		Docket Number 11411/11502	
Application No. 10/799,038	Filing Date March 11, 2004	Examiner Frank CHOI	Art Unit 1616
Invention Title: FOOD SUPPLEMENT FOR INCREASING LEAN MUSCLE MASS AND STRENGTH		Inventor(s) Paul T. GARDINER et al.	

Address to:
Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop: Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

By: 
Thomas C. Hughes (Reg. No.: 42,674)

Date: May 9, 2005

Sir:

1. Transmitted herewith for filing in the above identified patent application is an Amendment and Terminal Disclaimer in response to an Office Action mailed February 9, 2005.

The filing fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT NUMBER EXTRA	RATE (\$)	FEE (\$)
TOTAL CLAIMS	40	minus	20	20	50.00	1000.00
INDEPENDENT CLAIMS	4	minus	2	2	200.00	400.00
MULTIPLE DEPENDENT CLAIM ADDED					360.00	0.00
					TOTAL	.00
					TOTAL DUE	1400.00
If the applicant is a small entity under 37 C.F.R. 1.9 and 1.27, then divide total fee by 2, and enter amount here.					SMALL ENTITY TOTAL	700.00

- Please charge the required additional claims fee of **\$ 700.00** to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**:

- A. Any additional filing fees required under 37 C.F.R. § 1.16;
- B. Any additional patent application processing fees under 37 C.F.R. § 1.17;
- C. Any additional document supply fees under 37 C.F.R. § 1.19;
- D. Any additional post-patent processing fees under 37 C.F.R. § 1.20; or
- E. Any additional miscellaneous fees under 37 C.F.R. § 1.21.

4. Also submitted herewith is an executed Power of Attorney By Assignee of Entire Interest (Revocation of Prior Powers and Appointment of New Power). Please record the Power of Attorney in this application.

5. A duplicate copy of this letter is enclosed.

Dated: May 9, 2005

By: 

Thomas C. Hughes (Reg. No. 42,674)

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